

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**LISA L. JONES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:09CV88-DAS**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

**DEFENDANT**

**FINAL JUDGMENT**

Pursuant to a hearing held before the undersigned United States Magistrate Judge, the court determined that this case should be remanded to the Commissioner of Social Security for additional proceedings. On remand, the Commissioner shall assign the matter to a new ALJ, and that ALJ shall develop the record more fully with respect to the findings and opinions of Drs. Overstreet and Lowe. The previous ALJ discounted Dr. Overstreet's opinion as inconsistent with his own treatment notes and rejected Dr. Lowe's opinion because he found it was based upon Dr. Lowe's belief that the claimant suffered from rheumatoid arthritis. However, the court finds that the ALJ's expressed reasoning for these findings is unclear and inadequate. Accordingly, on remand the new ALJ shall re-contact both physicians and have them clarify their opinions in light of the reasons behind the rejections expressed by the previous ALJ. Should any additional development be necessary, of course, the ALJ will do so.

Accordingly, the parties, having consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit,

**IT IS, THEREFORE, ORDERED AND ADJUDGED:**

That this case is hereby **REMANDED** to the Commissioner for further proceedings.

**THIS**, 24th day of May, 2010.

/s/ David A. Sanders  
U. S. MAGISTRATE JUDGE